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October 14, 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Commissioner James H. Quello
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: EX PARTE
CC Docket No. 92-237; Carrier Identification Codes

Dear Commissioner Quello:

On April 11, 1997, the Federal Communications Commission (Commission) ordered a change in the format of so-called 3-digit carrier identification code (CIC) dialing.¹ This change eliminates, effective January 1, 1998, consumers' ability to place calls using the familiar "10XXX" dialing pattern used to dial around or bypass the presubscribed long distance carrier.

Millions of consumers enjoy the ability to complete calls using 10XXX dialing because it offers a means of sampling the services of different carriers without requiring them to change their long distance carrier. Additionally, if a consumer's presubscribed carrier is experiencing network failure, call blockage, or simply poor transmission quality, 10XXX access to other carriers' networks is often critical to the PIC's subscribers. 10XXX dialing also allows traveling consumers the opportunity to use their carrier of choice from presubscribed telephones all over the country.

Based on the record before the Commission, there is no emergency prompting the abrupt elimination of consumers' ability to place calls using the familiar 3-digit CICs on January 1, 1998. MCI has advocated that, because the Commission's dialing parity rules did not require the Regional Bell Operating Companies (RBOCs) to provide intraLATA toll dialing parity until February 1999, the January 1, 1998, transition date should be extended until at least that time. Now that those rules have been vacated,² the RBOCs will not be required to provide dialing parity until they obtain authority to provide in-region long distance services.

¹Order, In the Matter of Administration of the North American Numbering Plan Carrier Identification Codes (CICs), rel. April 11, 1997 (April 11 Order).

²See *Public Utilities Commission of the State of California*, No. 96-3519 et. seq., slip op., filed Aug. 22, 1997 (8th Cir. 1997).

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In the meantime, the abrupt and unnecessary end to the permissive dialing period in January will eliminate consumers' ability to access MCI's services by using the familiar 10XXX dialing pattern, thus greatly increasing the RBOCs' competitive advantage. Premature termination of this period of permissive dialing will intensify MCI's competitive disadvantage because customers that are confused by their inability to use the familiar dialing pattern will resort to use of the RBOCs' services by simply dialing "1." The Commission must act quickly to avoid this anti-competitive result.

According to recently released Bellcore data, 4-digit CICs in the 5XXX and 6XXX ranges are compatible with 3-digit dialing. Bellcore reports that at the current average assignment rate of 23 CICs per month, exhaust of these compatible 4-digit CICs will not occur until at least October 2002.³ Thus, extension of the permissive dialing period until 2002 will not interfere with the Commission's stated goal of accommodating the industry's growing demand for CICs.

The recent filings by several companies of requests for waiver of the January 1, 1998, transition date highlight the fact that the Commission's has not provided ample time for the industry to complete the steps necessary to accommodate the transition from 3-digit to 4-digit CICs. These petitions generally state that the petitioners do not have the technical or economic capability to comply with the Commission's January 1, 1998, transition date.⁴

Premature termination of consumers' ability to place calls using the familiar 10XXX dialing pattern is contrary to the public interest. Discussions between local exchange companies, interexchange carriers and dial-around companies to develop the necessary custom recorded announcement required to instruct consumers to use the new dialing pattern, instead of the familiar 10XXX dialing pattern, are far from complete. Significant questions about the switch capacity needed to support standard competitively neutral custom announcements remain unresolved at this time.

³See Letter dated October 13, 1997, from Nancy K. Fears to Stephen J. Engleman, attached as Exhibit A.

⁴See, e.g., Henderson Telephone Company Petition For Limited Waiver, filed October 6, 1997; Hartington Telecommunications Co., Inc., Petition For Waiver, filed October 9, 1997; Hartman Telephone Exchanges, Inc., Petition For Limited Waiver, filed October 9, 1997.

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Abrupt and premature termination of consumers' ability to place calls using the 10XXX dialing pattern will not serve the public interest. Moreover, Bellcore data reveals that it is not required in order to accommodate the industry's desire for CICs. Petitions filed by several companies seeking waivers of the January 1, 1998, date because they do not have the technical or economic capacity to comply with the Commission's compressed and aggressive schedule further underscore the need for prompt Commission action extending the January 1, 1998, transition date. Since there is no justification for abruptly terminating consumers' ability to place calls using 3- and 4-digit CICs on January 1, 1998, we hereby reiterate MCI's request that the Commission immediately extend the permissive dialing period to at least February 1999.

Sincerely,



Jonathan B. Sallet

cc: Honorable Reed E. Hundt, Chairman
Commissioner Susan Ness
Commissioner Rachelle B. Chong
Tom Boasberg
Jim Casserly
Kathy Franco
Paul Gallant
Geraldine Matise
Richard Metzger
Kris Monteith